

**United States District Court  
Eastern District of Pennsylvania (Philadelphia)  
CIVIL DOCKET FOR CASE #: 2:17-cv-03521-JHS**

SUSMAN v. THE GOODYEAR TIRE & RUBBER COMPANY et al  
Assigned to: HONORABLE JOEL H. SLOMSKY  
Cause: 28:1332 Diversity-Product Liability

Date Filed: 08/07/2017  
Date Terminated: 03/22/2018  
Jury Demand: None  
Nature of Suit: 365 P.I.: Personal Inj. Prod.  
Liability  
Jurisdiction: Diversity

**Plaintiff**

**RYSTA LEONA SUSMAN**  
*BOTH INDIVIDUALLY AND AS LEGAL  
GUARDIAN OF SHANE ALLEN LOVELAND*

represented by **DANIEL JOSEPH SHERRY , JR.**  
EISENBERG, ROTHWEILER, WINKLER,  
EISENBERG & JECK P.C.  
1634 SPRUCE STREET  
PHILADELPHIA, PA 19103  
215-546-6636  
Fax: 215-546-0118  
Email: daniel@erlegal.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**JACOB SUMMERS**

represented by **DANIEL JOSEPH SHERRY , JR.**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**THE GOODYEAR TIRE & RUBBER  
COMPANY**

represented by **JUSTIN EDWARD KERNER**  
DLA PIPER LLP  
1650 MARKET ST 49TH FL  
PHILADELPHIA, PA 19103  
215-656-2454  
Email: justin.kerner@dlapiper.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**JAYNE RISK**  
DLA PIPER RUDNICK GRAY CARY US,  
LLP  
ONE LIBERTY PL  
1650 MARKET ST  
SUITE 4900  
PHILADELPHIA, PA 19103  
215-656-3328  
Email: jayne.risk@dlapiper.com

**Defendant**

**THE GOODYEAR TIRE & RUBBER  
COMPANY**

*TERMINATED: 03/08/2018*

**Defendant**

**THE GOODYEAR TIRE & RUBBER  
COMPANY**

*TERMINATED: 03/08/2018*

*doing business as*

**GOODYEAR TIRE & RUBBER COMPANY**

**Defendant**

**THE GOODYEAR TIRE & RUBBER  
COMPANY**

*TERMINATED: 03/08/2018*

*doing business as*

**GOODWEAR TIRE & RUBBER COMPANY**

**Defendant**

**GOODWEAR TIRE & RUBBER  
COMPANY**

*TERMINATED: 03/08/2018*

**Defendant**

**GOODWEAR TIRE & RUBBER  
COMPANY**

*TERMINATED: 03/08/2018*

*doing business as*

**THE GOODYEAR TIRE & RUBBER  
COMPANY**

**Defendant**

**GOODWEAR TIRE & RUBBER  
COMPANY**

*TERMINATED: 03/08/2018*

*doing business as*

**GOODYEAR TIRE & RUBBER COMPANY**

**Defendant**

**GOODYEAR TIRE & RUBBER  
COMPANY**

*TERMINATED: 03/08/2018*

**Defendant**

**GOODYEAR TIRE & RUBBER  
COMPANY**

TERMINATED: 03/08/2018

doing business as

THE GOODYEAR TIRE & RUBBER  
COMPANY

**Defendant**

**GOODYEAR TIRE & RUBBER  
COMPANY**

TERMINATED: 03/08/2018

doing business as

GOODWEAR TIRE & RUBBER COMPANY

Date Filed	#	Docket Text
08/07/2017	<u>1</u>	NOTICE OF REMOVAL by THE GOODYEAR TIRE & RUBBER COMPANY from Court of Common Pleas of Philadelphia, case number 170500306, with Certificate of Service. (Filing fee \$ 400 receipt number 163782) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Declaration, # <u>3</u> Certificate of Service, # <u>4</u> Civil Cover Sheet, # <u>5</u> Case Management Track Form, # <u>6</u> Designation Form)(rt) (Entered: 08/08/2017)
08/08/2017	<u>2</u>	MOTION to Transfer <i>the Action to the United States District Court for the District of Nebraska</i> filed by GOODYEAR TIRE & RUBBER COMPANY.Memorandum in Support with Certificate of Service. (Attachments: # <u>1</u> Memorandum Memorandum in Support, # <u>2</u> Text of Proposed Order Proposed Order)(KERNER, JUSTIN) (Entered: 08/08/2017)
08/11/2017	<u>3</u>	ANSWER to Complaint by GOODYEAR TIRE & RUBBER COMPANY, New Matter, Certificate of Service.(RISK, JAYNE) Modified on 8/14/2017 (md). (Entered: 08/11/2017)
08/16/2017	<u>4</u>	Disclosure Statement Form pursuant to FRCP 7.1 with Certificate of Service by THE GOODYEAR TIRE & RUBBER COMPANY. (Attachments: # <u>1</u> Certificate of Service Certificate of Service)(KERNER, JUSTIN) (Entered: 08/16/2017)
08/21/2017	<u>5</u>	MOTION to Stay <i>Briefing Associated with The Goodyear Tire and Rubber Company's Motion to Transfer</i> filed by JACOB SUMMERS, RYSTA LEONA SUSMAN.Plts Motion to Stay Briefing. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(SHERRY, DANIEL) (Entered: 08/21/2017)
08/21/2017	<u>6</u>	LETTER re RESPONSE in Opposition re <u>5</u> MOTION to Stay Briefing Associated with The Goodyear Tire and Rubber Company's Motion to Transfer filed by THE GOODYEAR TIRE & RUBBER COMPANY. (Attachments: # <u>1</u> Certificate of Service Certificate of Service)(RISK, JAYNE) Modified on 8/22/2017 (md). (Entered: 08/21/2017)
08/22/2017	<u>7</u>	REPLY BRIEF in Support of <u>5</u> MOTION to Stay Responsive Briefings to the Goodyear Tire and Rubber Company's Motion to Transfer, filed by JACOB SUMMERS, RYSTA LEONA SUSMAN. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Exhibit A)(SHERRY, DANIEL) Modified on 8/23/2017 (md). (Entered: 08/22/2017)
08/23/2017	<u>8</u>	MOTION to Remand <i>to the Court of Common Pleas of Philadelphia</i> filed by JACOB SUMMERS, RYSTA LEONA SUSMAN.. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Memorandum, # <u>3</u> Certificate of Service, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9)(SHERRY, DANIEL) (Entered: 08/23/2017)
08/24/2017	<u>9</u>	ORDER THAT PLAINTIFFS' MOTION TO STAY BRIEFING ASSOCIATED WITH THE MOTION TO TRANSFER (DOC. NO. 5) IS GRANTED. ALL BRIEFING REGARDING THE MOTION TO TRANSFER (DOC. NO. 2) IS STAYED PENDING THE OUTCOME OF

		PLAINTIFFS' MOTION TO REMAND (DOC. NO. 8). SIGNED BY HONORABLE JOEL H. SLOMSKY ON 8/24/2017. 8/24/2017 ENTERED AND COPIES MAILED TO UNREP AND E-MAILED.(ahf) (Entered: 08/24/2017)
09/05/2017	<u>10</u>	RESPONSE in Opposition re <u>8</u> MOTION to Remand <i>to the Court of Common Pleas of Philadelphia</i> filed by THE GOODYEAR TIRE & RUBBER COMPANY. (Attachments: # <u>1</u> Declaration of Daniel T. Young, # <u>2</u> Declaration of Justin Kerner, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit C (continued part 2), # <u>7</u> Exhibit C (continued part 3, # <u>8</u> Exhibit D, # <u>9</u> Exhibit E, # <u>10</u> Exhibit E (continued part 2), # <u>11</u> Exhibit F, # <u>12</u> Exhibit G, # <u>13</u> Exhibit H, # <u>14</u> Exhibit I, # <u>15</u> Exhibit J, # <u>16</u> Exhibit K, # <u>17</u> Exhibit L, # <u>18</u> Exhibit M, # <u>19</u> Exhibit N, # <u>20</u> Exhibit O, # <u>21</u> Exhibit P, # <u>22</u> Exhibit Q)(KERNER, JUSTIN) (Entered: 09/05/2017)
09/18/2017	<u>11</u>	Original Record together with certified copy of docket entries received from Court of Common Pleas of PHILADELPHIA COUNTY. (rf, ) (Entered: 09/18/2017)
09/19/2017	<u>12</u>	REPLY to Response to Motion re <u>8</u> MOTION to Remand <i>to the Court of Common Pleas of Philadelphia</i> filed by JACOB SUMMERS, RYSTA LEONA SUSMAN. (Attachments: # <u>1</u> Certificate of Service)(SHERRY, DANIEL) (Entered: 09/19/2017)
09/20/2017	<u>13</u>	ORDER THAT MOTION HEARING SET FOR 10/4/2017 02:00 PM. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 9/19/17. 9/20/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf, ) (Entered: 09/20/2017)
09/20/2017	<u>14</u>	LETTER re RESPONSE in Opposition re <u>8</u> MOTION to Remand to the Court of Common Pleas of Philadelphia filed by THE GOODYEAR TIRE & RUBBER COMPANY. (KERNER, JUSTIN) Modified on 9/21/2017 (md). (Entered: 09/20/2017)
09/26/2017	<u>15</u>	MOTION to Strike <u>12</u> Reply to Response to Motion filed by THE GOODYEAR TIRE & RUBBER COMPANY.. (Attachments: # <u>1</u> Memorandum, # <u>2</u> Text of Proposed Order, # <u>3</u> Text of Proposed Order, # <u>4</u> Certificate of Service)(KERNER, JUSTIN) (Entered: 09/26/2017)
09/28/2017	<u>16</u>	ORDER THAT HEARING CURRENTLY SCHEDULED FOR 10/4/17 AT 2:00PM IS CANCELLED. MOTION HEARING RESCHEDULED FOR 10/19/2017 02:00 PM. CLERK OF COURT SHALL DOCKET THE ATTACHED LETTER. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 9/27/17. 9/28/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf, ) (Entered: 09/28/2017)
09/28/2017	<u>17</u>	Letter to the Honorable Joel H. Slomsky from Daniel J. Sherry. (rf, ) (Entered: 09/28/2017)
10/02/2017	<u>18</u>	RESPONSE in Opposition re <u>15</u> MOTION to Strike <u>12</u> Reply to Response to Motion filed by JACOB SUMMERS, RYSTA LEONA SUSMAN. (Attachments: # <u>1</u> Certificate of Service)(SHERRY, DANIEL) (Entered: 10/02/2017)
10/18/2017	<u>19</u>	ORDER THAT MOTION HEARING SET FOR 10/19/17 AT 2:00PM IS CANCELLED AND RESCHEDULED FOR 10/30/2017 02:00 PM. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 10/18/17. 10/18/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf, ) (Entered: 10/18/2017)
10/30/2017	<u>20</u>	ORDER THAT MOTION HEARING SET FOR 11/13/2017 02:00 PM. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 10/30/17. 10/30/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf, ) (Entered: 10/30/2017)
11/13/2017	<u>21</u>	Minute Entry for proceedings held before HONORABLE JOEL H. SLOMSKY Motion Hearing held on 11/13/17 re <u>15</u> MOTION to Strike <u>12</u> Reply to Response to Motion filed by THE GOODYEAR TIRE & RUBBER COMPANY, <u>8</u> MOTION to Remand <i>to the Court of Common Pleas of Philadelphia</i> filed by JACOB SUMMERS, RYSTA LEONA SUSMAN, <u>2</u> MOTION to Transfer <i>the Action to the United States District Court for the District of Nebraska</i> filed by

		GOODYEAR TIRE & RUBBER COMPANY, GOODWEAR TIRE & RUBBER COMPANY (rf, ) (Entered: 11/13/2017)
11/14/2017	<u>22</u>	ORDER THAT MOTION TO STRIKE PLAINTIFFS REPLY (DOC. 15) IS GRANTED IN PART AND DENIED IN PART AS OUTLINED HEREIN. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 11/13/17. 11/14/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf, ) (Entered: 11/14/2017)
11/14/2017	<u>23</u>	ORDER THAT MOTION TO TRANSFER THE ACTION (DOC. 2) IS DENIED WITHOUT PREJUDICE. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 11/13/17. 11/14/17 ENTERED AND COPIES MAILED TO UNREP, EMAILED.(rf, ) (Entered: 11/14/2017)
11/14/2017	<u>24</u>	RESPONSE in Opposition re <u>8</u> MOTION to Remand to the Court of Common Pleas of Philadelphia , Addressing Issues Raised at Oral Argument, filed by THE GOODYEAR TIRE & RUBBER COMPANY. (Attachments: # <u>1</u> Exhibit A – Wecker v. Nat'l Enameling & Stamping Co., # <u>2</u> Exhibit B – Smoot v. Chi. Rock Island & Pac. R.R. Co., # <u>3</u> Exhibit C – Weaver v. Conrail Inc., # <u>4</u> Exhibit D – Davis v. OneBeacon Ins. Grp.)(KERNER, JUSTIN) (Entered: 11/14/2017)
11/15/2017	<u>25</u>	NOTICE by JACOB SUMMERS, RYSTA LEONA SUSMAN <i>Letter to The Honorable Joel H. Slomsky re: Plaintiffs' Proposed Notice of Videotaped Deposition of Daniel T. Young</i> (Attachments: # <u>1</u> Proposed Notice of Videotaped Deposition of Daniel T. Young)(SHERRY, DANIEL) (Entered: 11/15/2017)
11/15/2017	<u>26</u>	NOTICE by THE GOODYEAR TIRE & RUBBER COMPANY of Objections re <u>25</u> Notice. (KERNER, JUSTIN) Modified on 11/16/2017 (md). (Entered: 11/15/2017)
12/05/2017	<u>27</u>	Transcript of Motion Hearing Proceedings held on 11/13/17, before Judge SLOMSKY. Court Reporter/Transcriber LAWRENCE COURT TRANSCRIPTION.. (rf, ) (Entered: 12/06/2017)
03/09/2018	<u>28</u>	MEMORANDUM AND/OR OPINION. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 3/8/18. 3/8/18 ENTERED AND COPIES MAILED TO UNREP AND EMAILED TO COUNSEL.(jaa, ) (Entered: 03/09/2018)
03/09/2018	<u>29</u>	ORDER THAT THE FOLLOWING DEFENDANTS ARE DISMISSED WITH PREJUDICE AS OUTLIED AND IT IS FURTHER ORDERED THAT THE GOODYEAR TIRE AND RUBBER COMPANY IS THE ONLY DEFENDANT REMAINING IN THIS ACTION. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 3/8/18. 3/9/18 ENTERED AND COPIES MAILED TO UNREP AND EMAILED TO COUNSEL.(jaa, ) (Entered: 03/09/2018)
03/15/2018	<u>30</u>	MOTION to Transfer (Renewed Motion to Transfer Action to the United States District Court for the District of Nebraska) filed by THE GOODYEAR TIRE & RUBBER COMPANY, Brief, Declaration, Certificate of Service. (Attachments: # <u>1</u> Brief, # <u>2</u> Declaration of Jay K. Lawrence, # <u>3</u> Declaration of Edward S. Bott, Jr., # <u>4</u> Exhibit A, # <u>5</u> Exhibit B, # <u>6</u> Exhibit C, # <u>7</u> Exhibit D, # <u>8</u> Exhibit E, # <u>9</u> Declaration of Jayne Anderson Risk, # <u>10</u> Exhibit A, # <u>11</u> Exhibit B, # <u>12</u> Text of Proposed Order, # <u>13</u> Certificate of Service)(KERNER, JUSTIN) Modified on 3/16/2018 (md). (Entered: 03/15/2018)
03/22/2018	<u>31</u>	STIPULATION AND ORDER THAT THIS MATTER SHOULD BE TRANSFERRED TO THE U.S. DISTRICT COURT FOR THE DISTRICT OF NEBRASKA. THE CLERK OF COURT SHALL TRANSFER THIS ACTION TO THE USDC FOR THE DISTRICT OF NEBRASKA AND TAKE ALL ACTIONS NECESSARY TO EFFECT SUCH TRANSFER. SIGNED BY HONORABLE JOEL H. SLOMSKY ON 3/22/18. 3/22/18 ENTERED & E-MAILED.(fdc) Modified on 3/23/2018 (md). (Entered: 03/22/2018)